

## **REMARKS**

### **Rejection of Claim 25 Under 35 U.S.C. 102(a) and (e)**

Claim 25 is rejected under 35 U.S.C. 102(a) as being unpatentable over Zhao et al. Claim 25 is rejected under 35 U.S.C. 102(e) as being unpatentable over US Patent No. 6,815,429. Both references are relied upon as teaching CpG-containing oligonucleotides containing a 2'-5' linkage. Claim 25 has been amended to delete the term "2'-5' linkage". Applicants respectfully submit that this amendment overcomes the rejection and request that the rejection be withdrawn.

### **Obviousness-type double patenting**

Claim 25 is rejected for obviousness-type double patenting over various claims of US Patent Nos. 7,276,489, 7,812,000, and 7,851,453. Without admitting that claim 25 is obvious over any of those claims, and solely for the purpose of expediting prosecution, Applicants submit herewith a terminal disclaimer over these three patents.

Claim 25 is also rejected for obviousness-type double patenting over claims of US Patent No. 7,329,648. Claims 1-13 of this patent claim only CpG-containing oligonucleotides having a 2'-5' linkage. As claim 25 has been amended to eliminate this term, Applicants respectfully request that this rejection be withdrawn.

## **CONCLUSION**

In view of the above amendments and remarks, it is believed claim 25 is in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner believes that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned attorney at 207-571-9365, x-107.

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